



# *City of Kingsburg*

1401 Draper Street, Kingsburg, CA 93631-1908  
Phone (559)897-5821 Fax (559)897-5568

Mayor Michelle Roman  
Mayor Pro Tem Laura North  
Council Member Sherman Dix  
Council Member Vince Palomar  
Council Member Jewel Hurtado

City Manager Alexander J. Henderson

## **AGENDA KINGSBURG CITY COUNCIL REGULAR MEETING**

**Council Chambers, 1401 Draper Street, Kingsburg, CA 93631 (559) 897-5821**  
**[www.cityofkingsburg-ca.gov](http://www.cityofkingsburg-ca.gov)**

**Wednesday, March 20, 2019 at 6pm**

### **6 P.M. REGULAR SESSION MEETING:**

Invocation to be given by Interim Senior Pastor John Strubhar of The Kingsburg First Baptist Church, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

- 1. Call to Order and Roll Call**
- 2. Public Comments:** This is the time for any citizen to come forward and address the City Council on any issue within its jurisdiction that is not listed on the Agenda. A maximum of five (5) minutes is allowed for each speaker.
- 3. Approve Agenda:** Action by the Council to approve the agenda or to make modifications. Items that can be added to the agenda is constrained by State law.
- 4. Consent Calendar:** Items considered routine in nature are to be placed on the Consent Calendar. They will be considered as one item and voted upon in one vote unless individual consideration is requested. Each vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Approval of the Consent Calendar items include recitals reading ordinance(s) by titles(s) only and adoption of recommended action(s) contained in Staff Reports.
  - 4.1 Approval of City Council Minutes:** Approve the minutes from the March 6, 2019 Regular City Council Meeting as prepared by City Clerk Abigail Palsgaard.
  - 4.2 Adopt Resolutions 2019- 017; 2019-018; 2019-019; 2019-020; 2019-021;**  
**Approving the Budget Amendments As Presented And Recommended By The Finance Committee-** Staff Report Prepared by Finance Director Alma Colado.
  - 4.3 Public Safety Committee Appointment-** Accept Mayor Roman's appointment of Jerry Lay to the Public Safety Committee to a term that is set to expire March 2023.

- 4.4 Appointment of the Chairperson and Vice Chairperson of the Public Safety Tax Citizens Oversight Committee** - Accept Mayor Roman's appointment of Staci Smith as the Chairperson and John Matic as the Vice Chairperson of the Public Safety Tax Citizens Oversight Committee.
- 4.5 Approve the Internal Social Media Policy**- Staff Report prepared by Director of Administrative Services Christina Windover.

**5. Regular Calendar**

- 5.1 Crime Statistics Report for the Month of February 2019 and General Police Department Update**- Crime Statistics Report prepared by Kingsburg Police Department Records Supervisor Corina Padilla.

Possible Action(s):

- a. Presentation by Police Chief Neil Dadian
- b. Council Discussion
- c. Informational- No Action Necessary

- 5.2 Mobile Food Trucks Discussion**- Staff Report prepared by City Attorney Michael Noland

Possible Action(s):

- a. Presentation by City Manager Alexander Henderson
- b. Council Discussion
- c. Waive first reading and introduce Ordinance No. 2019-003, An Ordinance of the City of An Ordinance Of The City Of Kingsburg Adding Chapter 5.38 Of Title 5 Of The Kingsburg Municipal Code Regulating Food Vending Vehicles and pass to a second reading with the following recital constituting reading the title of the Ordinance:

“AN ORDINANCE OF THE CITY OF KINGSBURG ADDING CHAPTER 5.38 OF TITLE 5 OF THE KINGSBURG MUNICIPAL CODE REGULATING FOOD VENDING VEHICLES”

- 5.3 Special Event Application Discussion**- Staff Report prepared by Community Services Director Adam Castaneda

Possible Action(s):

- a. Presentation by Community Services Director Adam Castaneda
- b. Council Discussion
- c. Action as Deemed Necessary

**6. Council Reports and Staff Communications**

- 6.1** Community Services Commission
- 6.2** Public Safety Committee
- 6.3** Chamber of Commerce
- 6.4** Economic Development
- 6.5** Finance Committee
- 6.6** Planning Commission
- 6.7** City Manager's Report

7. **Other Business that may come properly before the City Council**
8. **Future Agenda Items**  
These items will be added to a future agenda with direction from Council.
9. **Adjourn Regular Kingsburg City Council Meeting into Closed Session:**
  - 9.1 **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
**California Government Code Section 54956.8**  
**Property: 1483 Avenue 396, Kingsburg, California**  
**APN: 028-130-004**  
**Agency Negotiator: Alexander J. Henderson Under Negotiation: Terms of transfer of title to real property**
10. **Adjourn out of Closed Session into the Regular Kingsburg City Council Meeting and report out of Closed Session.**
11. **Continue or Adjourn Regular Kingsburg City Council Meeting.**

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at [www.cityofkingsburg-ca.gov](http://www.cityofkingsburg-ca.gov).

I hereby certify, under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the front entrance of City Hall not less than 72 hours prior to the meeting. Dated this 15<sup>th</sup> day of March 2019.

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Abigail Palsgaard, City Clerk

**KINGSBURG CITY COUNCIL  
REGULAR MEETING Minutes  
March 6, 2019**

**6 P.M. REGULAR SESSION MEETING:**

Invocation was given by Pastor Jeff Nathan of The Refinery Kingsburg Church, followed by the Pledge of Allegiance led by Mayor Michelle Roman.

**Call to Order and Roll Call** – At 6:04 P.M. Mayor Michelle Roman called the Regular Meeting of the Kingsburg City Council to order.

**Council Members present:** Jewel Hurtado, Vince Palomar, Sherman Dix, Laura North, and Mayor Michelle Roman.

**Staff present:** City Clerk Abigail Palsgaard, City Attorney Michael Noland, City Finance Director Alma Colado, Interim Fire Chief Tim Sendelbach, and City Director of Administrative Services Christina Windover.

**Public Comments:** Elisa Rivera, resident, stated that she is here on behalf of California State Senator Anna M. Caballero to let the City Council know that we are here to help in anyway.

Mathew Clifton and another young man from Boy Scout Troop 392 stated they are working towards an Eagle badge.

**Approve Agenda:** A motion was made by Council Member Palomar, seconded by Council Member Hurtado, to approve the Agenda, as published. The motion carried by unanimous voice vote.

**Consent Calendar:** Council Member North asked that Item No. 4.5 be pulled for discussion. A motion was made by Council Member Hurtado, seconded by Council Member Dix to approve the items appearing on the Consent Calendar except Item No. 4.5. The motion carried by unanimous voice vote.

- 4.1 Approval of City Council Minutes:** Approve the minutes from the February 20, 2019 Regular City Council Meeting as prepared by City Clerk Abigail Palsgaard.
- 4.2 Check Register:** Ratify/approve payment of bills listed on the check register for the period February 14, 2019 through February 28, 2019 as prepared by Accounts Payable Clerk Grace Reyna.
- 4.3 Second Reading and Adoption of Sidewalk Vending Ordinance 2019-002-** Waive the second reading and adopt Ordinance No. 2019-002, An Ordinance of the City of Kingsburg Adding Chapter 5.40 To Title 5 of the Kingsburg Municipal Code Regulatory Sidewalk Vending with the following recital constituting reading the title of the Ordinance:  
  
“AN ORDINANCE OF THE CITY OF KINGSBURG ADDING CHAPTER 5.40 TO TITLE 5 OF THE KINGSBURG MUNICIPAL CODE REGULATORY SIDEWALK VENDING”
- 4.4 Approve the Third Amendment to First Amended and Restated City Manager Employment Agreement-** Staff report prepared by City Attorney Michael Noland.

**4.5 Pulled**

- 4.6 Accept the Simpson & Lauren Water Service Relocation project completed by JT2, Inc. dba Todd Companies and authorize the City Engineer to file the Notice of Completion.** - Staff report prepared by City Engineer Dave Peters

**Pulled Consent Calendar Items:**

- 4.5 Approve the Proposed Wage Schedule-** Staff Report prepared by Director of Administrative Services Christina Windover.

Council Member North stated, that after reviewing the new salary table, she had a concern with the part time jobs. The recreation supervisor's pay is less than a lead lifeguard. Director of Administrative Services Windover explained that every year since the State changed the minimum wage, we update the wages. The lead lifeguard has historically been paid more. Mayor Roman stated that we would want to recruit the best for our recreation program. Council Member North asked that staff look into what other city afterschool recreation program leaders and supervisors are paid. Ms. Windover said that we will research that. She said that she recommends approving the wage schedule tonight as is, and she will bring it back.

A motion was made by Council Member North to approve the Wage Schedule with information to come back. The motion was seconded by Council Member Hurtado and carried by unanimous voice vote.

**Regular Calendar**

**Kingsburg Fire Department Measure E Fire Fighter/Medic Pinning Ceremony- Presentation by Chief Tim Sendelbach**

Measure E Fire Fighter/Medics Nicholas Cassel, Diego Rodriguez, and Jeff Loyd were sworn-in by City Clerk Abigail Palsgaard. Badges were pinned by family members and Chief Sendelbach gave some background regarding the program.

**Swedish Mill Update- Oral Report by Josh O'Bannon, Trinity Construction**

Josh O'Bannon, Trinity Construction, reported that pavement has been patched and he has crews inside cleaning up water damage. There is no structural damage. He has a floor plan and is working on getting a new water meter.

Mayor Roman asked if the franchisee got the loan. The Owner stated that it hasn't been completed but he has been working on it nonstop. He can get a line of credit for the equipment if they must. One way or another it will happen.

Mayor Roman asked about our next step. City Attorney Michael Noland said that staff will bring it back for review on April 17<sup>th</sup>.

**Council Reports and Staff Communications**

**Community Services Commission-** Council Member Hurtado reported that they met last Wednesday and discussed the Fugazzi fundraiser which did not generate quite as much as they would have liked. They are

going to do another fundraiser in April and are hoping to do it at Stacked. Council Member Dix mentioned a booth at the Car Show.

**Public Safety Committee-** Council Member Palomar reported that they hope to meet at the end of next month.

**Chamber of Commerce** – Council Member North reported that they will meet next week.

**Economic Development Committee** – Council Member Dix reported that they will meet on the 19<sup>th</sup>.

**Finance Committee-** Council Member Dix reported that they met on February 26<sup>th</sup> and discussed budget adjustments.

**Planning Commission-** Council Member Dix reported that it has not met.

**City Manager's Report-** None

**Other Business that may come properly before the City Council**

**Letter from Fresno County Department of Public Health regarding our Tobacco Free Parks.**  
Mayor Roman stated that this letter shows our commitment to smoke free parks and is being sent to all the other cities.

**Future Agenda Items**

These items will be added to a future agenda with direction from Council.

Council Member Dix stated that he has lots of questions concerning what the houses in the new development are going to look like. He suggested an agenda item or workshop to go over the specifics of the plan.

City Clerk Abigail Palsgaard brought to Council's attention Denim Day on April 24<sup>th</sup>.

Council Member Palomar asked if we recognize High School athletes. Mayor Roman said that we will recognize if the team would like.

Council Member North stated that she would like to do something to recognize Mr. & Mrs. Hash for their donation of land.

**Adjourn Regular Kingsburg City Council Meeting.** At 6:45 P. M. Mayor Roman adjourned the regular Kingsburg City Council Meeting.

Submitted by:

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Abigail Palsgaard, City Clerk  
City of Kingsburg



Meeting Date: 03/20/2019  
Agenda Item: 4.2

## CITY COUNCIL MEETING STAFF REPORT

**REPORT TO:** Mayor Roman & City Council

**REPORT FROM:** Alma Colado, Finance Director

**REVIEWED BY:** AP

**AGENDA ITEM:** 2018-2019 Mid-year Budget Amendment

**ACTION REQUESTED:** \_\_\_ Ordinance ☒ Resolution ☒ Motion \_\_\_ Receive/File

### **EXECUTIVE SUMMARY**

Throughout the year, staff examines both revenue and expenditure trends as compared to approved budget amounts. At the mid-year point, we examine line items that require adjustment action by the City Council. Most of City funds (both revenue and expenditure) are trending normally. However, for a variety of reasons (listed in this report), there are some line items that require budget amendments. There are 22 amendments that need to be addressed specifically; each taking place in the General Fund, Special Revenue Fund, and Water Enterprise Fund.

### **RECOMMENDED ACTION BY**

1. Approve the budget amendments as presented and recommended by the Finance Committee.

### **POLICY ALTERNATIVE(S)**

1. Council could choose to approve, modify or decline to approve any amendment.

### **REASON FOR RECOMMENDATION/KEY METRIC**

1. These financial policies are part of the strategic directive of financial stability. A budget amendment provides a necessary paper trail for our auditors to examine appropriation changes mid-year.

### **FINANCIAL INFORMATION**

#### **FISCAL IMPACT:**

1. Is There A Fiscal Impact? Yes
2. Is it Currently Budgeted? Yes
3. If Budgeted, Which Line? Varies

### **PRIOR ACTION/REVIEW**

The City's Finance Committee discussed the amendment items during their February 26, 2019 meeting. The amendments presented are based upon their recommendations.

## **BACKGROUND INFORMATION**

There are 22 line items funds that require a mid-year adjustment to reflect payments. Each of the expenditures was approved previously by City Council, and the proposed amendments help provide clarity in the budget document, as well as to properly reflect spending and the year in which it occurred.

### **Requested Appropriations**

1. City Council – Professional Services (001-1000-519-5270)  
Budgeted Amount: \$7,500 Proposed Amount: \$31,500
  - Total amendment amount: \$24,000
  - The amendment is necessary to cover costs due to Council Redistricting legal fees.
  - Funds will be offset from General Fund Balance.
2. City Manager - Conference, Meeting & Travel (001-1600-519-5291)  
Budgeted Amount: \$3,500 Proposed Amount: \$6,500
  - Total amendment amount: \$3,000
  - This amendment is necessary to cover travel costs associated with attendance at the Stanford Local Governance Summer Institute.
  - Funds will be offset from General Fund Balance.
3. City Manager - Memberships dues (001-1600-519-5292)  
Budgeted Amount: \$2,000 Proposed Amount: \$8,000
  - Total amendment amount: \$6,000
  - This amendment is necessary to cover costs related to tuition at the Stanford Local Governance Summer Institute.
  - Funds will be offset from General Fund Balance.
4. Planning - Medical (001-2600-519-5125)  
Budgeted Amount: \$18,861 Proposed Amount: \$26,500
  - Total amendment amount: \$7,639
  - This amendment is necessary to cover costs due to Medical services.
  - Funds will be offset from General Fund Balance.
5. Police - Act Task Force Grant-Salaries (108-3400-549-5101) Budgeted Amount: \$0  
Proposed Amount: \$82,000
  - Total amendment amount: \$82,000
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
6. Police - Act Task Force Grant-Overtime (108-3400-549-5102) Budgeted Amount: \$0  
Proposed Amount: \$11,000
  - Total amendment amount: \$11,000
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
7. Police - Act Task Force Grant-FICA (108-3400-549-5121) Budgeted Amount: \$0  
Proposed Amount: \$6,273
  - Total amendment amount: \$6,273
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).



8. Police - Act Task Force Grant-PERS (108-3400-549-5123) Budgeted Amount: \$0  
Proposed Amount: \$3,000
  - Total amendment amount: \$3,000
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
9. Police - Act Task Force Grant-Workers Comp (108-3400-549-5127) Budgeted Amount: \$0  
Proposed Amount: \$5,450
  - Total amendment amount: \$5,450
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
10. Police - Act Task Force Grant-Uniform Allowance (108-3400-549-5129) Budgeted Amount: \$0  
Proposed Amount: \$1,000
  - Total amendment amount: \$1,000
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
11. Police - Act Task Force Grant-EAP (108-3400-549-5131) Budgeted Amount: \$0  
Proposed Amount: \$16
  - Total amendment amount: \$16
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
12. Police - Act Task Force Grant-Life Insurance (108-3400-549-5133) Budgeted Amount: \$0  
Proposed Amount: \$35
  - Total amendment amount: \$35
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
13. Police - Act Task Force Grant-Liability Insurance (108-3400-549-5261) Budgeted Amount: \$0  
Proposed Amount: \$1,500
  - Total amendment amount: \$1,500
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
14. Police - Act Task Force Grant-Property Insurance (108-3400-549-5262) Budgeted Amount: \$0  
Proposed Amount: \$215
  - Total amendment amount: \$215
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
15. Police - Act Task Force Grant-Vehicle Insurance (108-3400-549-5263) Budgeted Amount: \$0  
Proposed Amount: \$375
  - Total amendment amount: \$375
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
16. Police - Act Task Force Grant-ERMA (108-3400-549-5121) Budgeted Amount: \$0  
Proposed Amount: \$330
  - Total amendment amount: \$330
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).

17. Police - Act Task Force Grant-Risk Mgt Admin fees (108-3400-549-5265) Budgeted Amount: \$0  
Proposed Amount: \$150
- Total amendment amount: \$150
  - This amendment is necessary to track Act Task Force Grant salaries separately.
  - Funds will be offset from Act Task Force Grant under Special revenue Fund (no City expense).
18. Water – Water Meters (318-5100-549-5702) Budgeted Amount: \$0 Proposed Amount: \$45,000
- Total amendment amount: \$45,000
  - This amendment is necessary to cover costs for the purchase of commercial water meters. Originally anticipated to be purchased in 2017-2018, it is a carry over.
  - Funds will be offset from Water Fund Balance.
19. Water – Simpson & Laurel-Water service relocation (318-5100-549-5737) Budgeted Amount: \$0  
Proposed Amount: \$56,000
- Total amendment amount: \$56,000
  - The amendment is necessary to cover costs due to water service relocation. Originally anticipated to be purchased in 2017-2018, it is a carry over.
  - Funds will be offset from Water Fund Balance.
20. Fire –Ambulance (320-6100-539-5723) Budgeted Amount: \$0  
Proposed Amount: \$4,600
- Total amendment amount: \$4,600
  - The amendment is necessary to cover costs due to ambulance shipping fees. Originally anticipated to be paid in 2017-2018, it is a carry over.
  - Funds will be offset from Fire Fund Balance.
21. Fire –Ambulance (320-6100-539-5701) Budgeted Amount: \$0  
Proposed Amount: \$66,500
- Total amendment amount: \$66,500
  - The amendment is necessary to cover costs due to New PhysioControl LifePak 15 ECG monitors fees. Originally anticipated to be paid in 2017-2018, it is a carry over.
  - Funds offset from Kingsburg Tri-County Health Care District Grant revenue.
22. Risk Management – Vehicle Premiums (501-5200-515-5267) Budgeted Amount: \$9,100  
Proposed Amount: \$20,000
- Total amendment amount: \$10,900
  - This amendment is to increase Vehicle Premiums expenditures due to premium costs increases.
  - Funds will be offset from General Fund Balance.

#### **ATTACHED INFORMATION**

1. Resolution 2019-017
2. Resolution 2019-018
3. Resolution 2019-019
4. Resolution 2019-020
5. Resolution 2019-021

# City of Kingsburg

*Accounting Use Only*

**Budget Adjustment Number:**

**Resolution Number:** 2019-017

**Date:** 3/20/2019

**Reason for change in appropriation:** To adjust Risk Management vehicle premiums expenditures due to premium costs increases.

## Estimated Additional Appropriations:

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Appropriation Amount
Risk Management Fund-Vehicle Premiums	501	5200	515	5267	\$ 10,900.00
Total Requested Appropriation:					\$ 10,900.00
Adjusted Total Appropriation:					\$ 10,900.00

## Estimated Revenues Available:

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Est. Revenue Amount
Various Fund balances	XXX	0000	341	0000	\$ 10,900.00
Total Estimated Additional Revenue:					\$ 10,900.00
Adjusted Total Estimated Revenue:					\$ 10,900.00
Net difference (deficit)					\$ -

# City of Kingsburg

*Accounting Use Only*  
**Budget Adjustment Number:**

**Resolution Number:** 2019-018

**Date:** 3/20/2019

**Reason for change in appropriation:** General Fund amendment due to Council Redistricting legal fees.

Also, an increase in Conference, Meeting & Travel, Membership dues and Medical fees.

**Estimated Additional Appropriations:**

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Appropriation Amount
General Fund-Professional Services	001	1000	519	5270	\$ 24,000.00
General Fund-Conference, Meeting & Travel	001	1600	519	5291	\$ 3,000.00
General Fund-Memberships dues	001	1600	519	5292	\$ 6,000.00
General Fund-Medical	001	2600	519	5125	\$ 7,639.00
<b>Total Requested Appropriation:</b>					\$ 40,639.00
<b>Adjusted Total Appropriation:</b>					\$ 40,639.00

**Estimated Revenues Available:**

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Est. Revenue Amount
General Fund Balance	001	0000	341	0000	\$ 40,639.00
<b>Total Estimated Additional Revenue:</b>					\$ 40,639.00
<b>Adjusted Total Estimated Revenue:</b>					\$ 40,639.00
Net difference (deficit)					\$ -

# City of Kingsburg

*Accounting Use Only*  
**Budget Adjustment Number:**

**Resolution Number:** 2019-019

**Date:** 3/20/2019

**Reason for change in appropriation:** Act Task Force Grant amendment due to keeping salaries separately related to this grant from Police department salaries.

**Estimated Additional Appropriations:**

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Appropriation Amount
<b>Act Task Force Grant:</b>					
SALARIES	108	3400	549	5101	\$ 82,000.00
OVERTIME	108	3400	549	5102	\$ 11,000.00
FICA	108	3400	549	5121	\$ 6,273.00
PERS	108	3400	549	5123	\$ 3,000.00
WORKERS COMP	108	3400	549	5127	\$ 5,450.00
UNIFORM ALLOWANCE	108	3400	549	5129	\$ 1,000.00
EAP	108	3400	549	5131	\$ 16.00
LIFE INSURANCE	108	3400	549	5133	\$ 35.00
LIABILITY INSURANCE	108	3400	549	5261	\$ 1,500.00
PROPERTY INSURANCE	108	3400	549	5262	\$ 215.00
VEHICLE INSURANCE	108	3400	549	5263	\$ 375.00
ERMA	108	3400	549	5264	\$ 330.00
RISK MGT/RMA ADMIN FEES	108	3400	549	5265	\$ 150.00
<b>Total Requested Appropriation:</b>					\$ 111,344.00
<b>Adjusted Total Appropriation:</b>					\$ 111,344.00

**Estimated Revenues Available:**

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Est. Revenue Amount
ACT TASK FORCE GRANT-REVENUE	001	0000	463	0119	\$ 111,344.00
<b>Total Estimated Additional Revenue:</b>					\$ 111,344.00
<b>Adjusted Total Estimated Revenue:</b>					\$ 111,344.00
Net difference (deficit)					\$ -

# City of Kingsburg

*Accounting Use Only*  
**Budget Adjustment Number:**

**Resolution Number:** 2019-020

**Date:** 3/20/2019

**Reason for change in appropriation:** To adjust Water Meters fees for the purchase of commercial water meters and  
Water service relocation (Simpson & Laurel)

**Estimated Additional Appropriations:**

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Appropriation Amount
Water Fund-Water Meter Fees	318	5100	549	5737	\$ 45,000.00
Water Fund-Simpson & Laurel-Water service relocation	318	5100	549	5723	\$ 56,000.00
<b>Total Requested Appropriation:</b>					\$ 101,000.00
<b>Adjusted Total Appropriation:</b>					\$ 101,000.00

**Estimated Revenues Available:**

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Est. Revenue Amount
Water Fund Balance	318	0000	341	0000	\$ 101,000.00
<b>Total Estimated Additional Revenue:</b>					\$ 101,000.00
<b>Adjusted Total Estimated Revenue:</b>					\$ 101,000.00
Net difference (deficit)					\$ -

# City of Kingsburg

*Accounting Use Only*

**Budget Adjustment Number:**

**Resolution Number:** 2019-021

**Date:** 3/20/2019

**Reason for change in appropriation:** To adjust Fire Ambulance fund to cover costs due to ambulance shipping fees and costs due to New PhysioControl LifePak 15 ECG monitors fees.

## Estimated Additional Appropriations:

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Appropriation Amount
Fire-Ambulance	320	6100	539	5723	\$ 4,600.00
Fire-Ambulance capital outlay	320	6100	539	5701	\$ 66,500.00
Total Requested Appropriation:					\$ 71,100.00
Adjusted Total Appropriation:					\$ 71,100.00

## Estimated Revenues Available:

Fund Name	Fund No.	Dept. No.	Prgm No.	Object No.	Est. Revenue Amount
Ambulance Fund Balance	320	0000	341	0000	\$ 71,100.00
Total Estimated Additional Revenue:					\$ 71,100.00
Adjusted Total Estimated Revenue:					\$ 71,100.00
Net difference (deficit)					\$ -



## APPLICATION

For Public Safety COMMITTEE or COMMISSION

Name JERRY, "J.D." LAY JR.

Address [REDACTED] Kingsburg, Ca. 93631

Phone [REDACTED] SAME  
(cell) (home/work)

Years lived in Kingsburg 2 1/2<sup>+</sup>

Community involvement Big Brothers / Big Sisters, Kern County  
public Safety Volunteer, Fundraisers for Diabetic  
Society, & Cancer.

What knowledge and experience do you have in the following areas:

Planning and Zoning Have helped with the Park Dept  
in placement, Type, and location of I team,  
Worked for Caltrans in the Bay Area Roads Dept

Public Safety Worked for Austin Enterprises, which is  
a SUB contractor for the State and various cities &  
Counties. They install signs painting, & stripping, connect.  
for permanent signs & construction, & also have a CALTRANS  
Finance SPEC BOOK.

Have Knowledge of Types & Cost of All types Items  
for Installations of material Above & construction  
materials for new Buildings & equipment.



Community Services and Recreation New Life Church Kingsburg

SOFTBALL, Baseball, Volleyball, Football for local sports, Local 3 Operating Engineer, Ex CalTRANS employee, Business & Co Contractors with my Brother Advanced Concrete Sawing & Drilling.

Explain your reasons for wanting to be on this committee

I am 53 years old with an Engineering Background in Infrastructure, Commercial & Residential homes.

I am aware & understand the Bidding process for Contractors for the City, County, and State,

I'm an Army Veteran with the 82nd Airborne proudly served during, Granada, Desert Shield, Desert Storm, and various other conflicts, A father of 2 step children who I adopted and 3 of my own children. I was born and raised in Bakersfield and grew up with that City and helped build and place almost all of the new Infrastructure of that City and with all of the life knowledge, Engineer knowledge

Are you aware that committees meet once a month and you are required to attend these meetings? ☒ Yes ☐ No

would be honored to be a part of helping Kingsburg develop into a bigger and more beautiful community than it already is

List three references giving name and phone number:

Mark Kuch - From Kingsburg

Anthony Gonzales "

Lisa & Tim (owners of CASARDO'S PIZZA)

[Signature]  
Applicant's Signature

01-04-2019  
Date



Meeting Date: 03/20/2019  
Agenda Item: 4.5

## CITY COUNCIL MEETING STAFF REPORT

**REPORT TO:** Mayor Roman & City Council

**REPORT FROM:** Christina Windover, Administrative Services Director **REVIEWED BY:** AP

**AGENDA ITEM:** Internal Social Media Policy

**ACTION REQUESTED:** \_\_\_Ordinance \_\_\_Resolution ☒ Motion \_\_\_Receive/File

### **EXECUTIVE SUMMARY**

This document addresses the fast-changing landscape of the Internet and the way residents communicate and obtain information online. The City and City departments may consider using social media tools to reach a broader audience. The City encourages the use of social media to further the goals of the City and the missions of its departments, where appropriate. The City has an overriding interest and expectation in deciding what is “spoken” on its behalf on social media sites. This policy establishes guidelines for the use of social media.

### **RECOMMENDED ACTION BY CITY COUNCIL**

1. *Approve the proposed social media policy.*

### **POLICY ALTERNATIVE(S)**

1. Do not approve the social media policy.

### **REASON FOR RECOMMENDATION/KEY METRIC**

The Council has identified “improving community communication” as one of the guiding strategic goals for staff to focus on. This policy is intended to provide staff with guidelines for communicating with the public via social media and social networking platforms. This policy also addresses California Public Records Act requirements for local governments by informing the public that City social media outlets are “limited” public forums and that the City reserves the right to remove inappropriate content posted by the public.

### **FINANCIAL INFORMATION**

#### **FISCAL IMPACT:**

- |                              |           |
|------------------------------|-----------|
| 1. Is There A Fiscal Impact? | <u>No</u> |
| 2. Is it Currently Budgeted? | <u>NA</u> |
| 3. If Budgeted, Which Line?  | <u>NA</u> |

### **PRIOR ACTION/REVIEW**

None.

### **BACKGROUND INFORMATION**

See Executive Summary.

### **ATTACHED INFORMATION**

1. Proposed Social Media Policy

## **INTERNAL POLICY**

### **Purpose**

This document defines the social networking and social media policy for the City of Kingsburg, the “City”. To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, City departments may consider using social media tools to reach a broader audience. The City encourages the use of social media to further the goals of the City and the missions of its departments, where appropriate. The City has an overriding interest and expectation in deciding what is “spoken” on its behalf on social media sites. This policy establishes guidelines for the use of social media.

### **Acceptable Professional Use**

All official City-related communication through social media, Web 2.0 and social networking outlets should remain professional in nature and should always be conducted in accordance with the City’s communications policy, practices and expectations. Employees must not use official City social media, Web 2.0 or social networking sites for political purposes, to conduct private commercial transactions, or to engage in private business activities.

City employees should be mindful that inappropriate usage of official agency social media, Web 2.0 and social networking sites can be grounds for disciplinary action. If social media, Web 2.0 and social networking sites are used for official City business, the entire City site, regardless of any personal views, is subject to best practices guidelines, and standards. Only individuals authorized by the City may publish content to an agency Web site or state City social computing technologies.

### **Approval and Registration**

All Agency social media sites shall be (1) approved by the City Manager; (2) published using approved social networking platform and tools; and (3) administered by the contact or their designee.

### **Oversight and Enforcement**

Employees representing the City through social media outlets or participating in social media features on agency websites must maintain a high level of ethical conduct and professional decorum. Failure to do so is grounds for revoking the privilege to participate in City social media sites, blogs, or other social media features.

Information must be presented following professional standards for good grammar, spelling, brevity, clarity and accuracy, and avoid jargon, obscure terminology, or acronyms. City employees recognize that the content and messages they post on social media websites are public and may be cited as official City statements. Social media should not be used to circumvent other agency communication policies, including news media policy requirements.

City employees may not publish information on agency social media sites that includes:

- Confidential information
- Copyright violations
- Profanity, obscene language or content, sexual, or derogatory content or comments
- Encouragement of illegal activity
- Partisan political views
- Commercial endorsements or SPAM

- Information that may compromise the safety or security of the public or public systems.
- Content that promotes, fosters, or perpetuates discrimination based on race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation.

### **Records Retention**

Social media sites contain communications sent to or received by the City and its employees, and such communications are therefore public records subject to California Public Records Act. These retention requirements apply regardless of the form of the record (for example, digital text, photos, audio, and video). The Department maintaining a site shall preserve records pursuant to a relevant records retention schedule for the required retention period in a format that preserves the integrity of the original record and is easily accessible. Furthermore, retention of social media records shall fulfill the following requirements:

- Social media records are captured in a continuous, automated fashion throughout the day to minimize a potential loss of data due to deletion and/or changes on the social networking site.
- Social media records are maintained in an authentic format (i.e. ideally the native technical format provided by the social network, such as XML or JSON) along with complete metadata.
- Social media records are archived in a system that preserves the context of communications, including conversation threads and rich media, to ensure completeness and availability of relevant information when records are accessed.
- Social media records are indexed based on specific criteria such as date, content type, and keywords to ensure that records can be quickly located and produced in an appropriate format for distribution (e.g. PDF).
- Each employee who administers one or more social networking sites on behalf of the City has self-service, read-only access to search and produce relevant social media records to fulfill public information and legal discovery requests as needed.

The City utilizes an automated archiving solution provided by ArchiveSocial to comply with applicable public records law and fulfill the above record retention requirements. The City archive is available at: [archivesocial.com](http://archivesocial.com).

### **EXTERNAL POLICY**

The following guidelines must be displayed to users on all social media sites or made available by hyperlink.

#### **Moderation of Third-Party Content**

This City of Kingsburg social media site serves as a limited public forum and all content published is subject to monitoring. User-generated posts will be rejected or removed (if possible) when the content:

- is off-subject or out of context
- contains obscenity or material that appeals to the prurient interest
- contains personal identifying information or sensitive personal information
- contains offensive terms that target protected classes
- is threatening, harassing or discriminatory

- incites or promotes violence or illegal activities
- contains information that reasonably could compromise individual or public safety
- advertises or promotes a commercial product or service, or any entity or individual
- promotes or endorses political campaigns or candidates

**Public Records Law**

City social media sites are subject to applicable public records laws. Any content maintained in a social media format related to City business, including communication posted by the City and communication received from citizens, is a public record. The Department maintaining the site is responsible for responding completely and accurately to any public records request for social media content.



# CITY OF KINGSBURG

## POLICE DEPARTMENT

1300 California Street, Kingsburg, CA 93631 (559) 897-4418

Neil Dadian  
Chief of Police

To: Mayor & City Council  
From: Corina Padilla  
Date: March 12, 2019  
Subject: February Crime Statistics & Prevention Update

- Part I Crimes increased by one.
- Other Offenses decreased by six.
- Traffic collisions increased by one.
- The number of arrests decreased by eight.
- Traffic citations decreased by 36.
- The number of calls for service decreased by 165.

We continue to use Facebook, Kingsburg PD mobile application, Twitter, and NIXLE as situations warrant in order to keep our citizens informed.

# Kingsburg Police Department

## Crime and Activity Report

[illegible][illegible]**Other Offenses:**[illegible]

### Other Statistics:

[illegible][illegible]

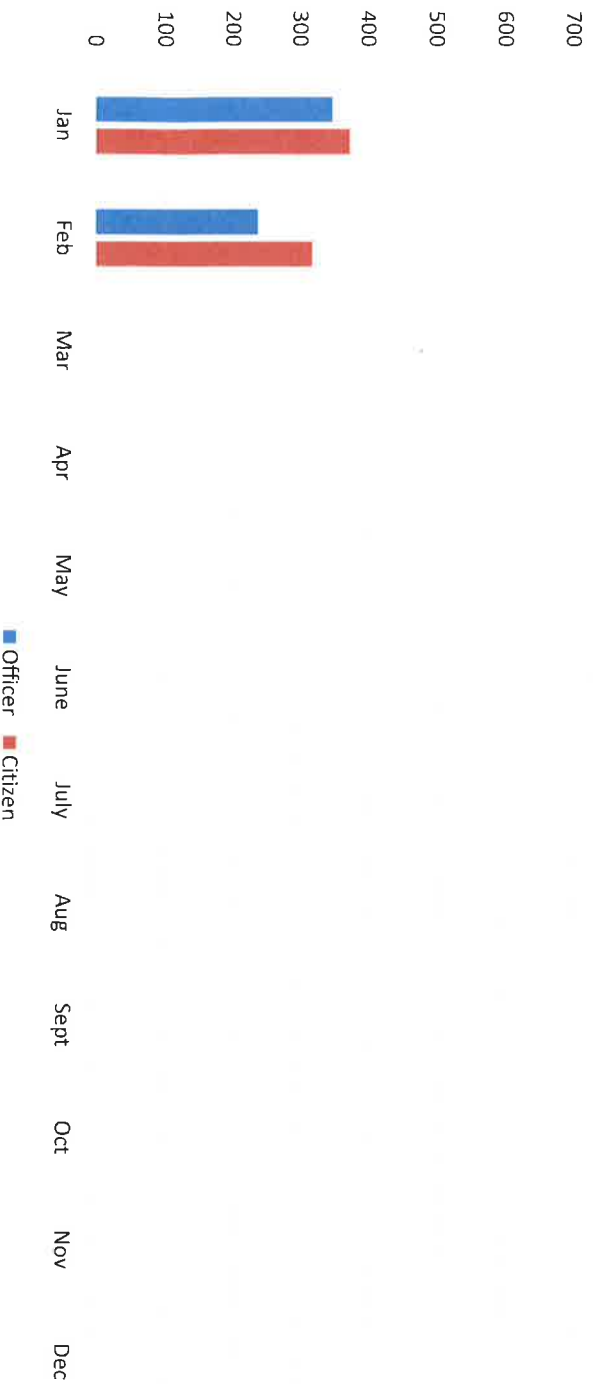
## Arrests

[illegible][illegible][illegible][illegible]

# Kingsburg Police Department 2019

Initiated	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	Monthly %
Officer	348	238	0	0	0	0	0	0	0	0	0	0	586	-32%
Citizen	373	318	0	0	0	0	0	0	0	0	0	0	691	-15%
TOTAL	721	556	0	0	0	0	0	0	0	0	0	0	1277	-23%
Average Calls per Day	23.3	20	0	0	0	0	0	0	0	0	0	0		

2019 Calls for Service

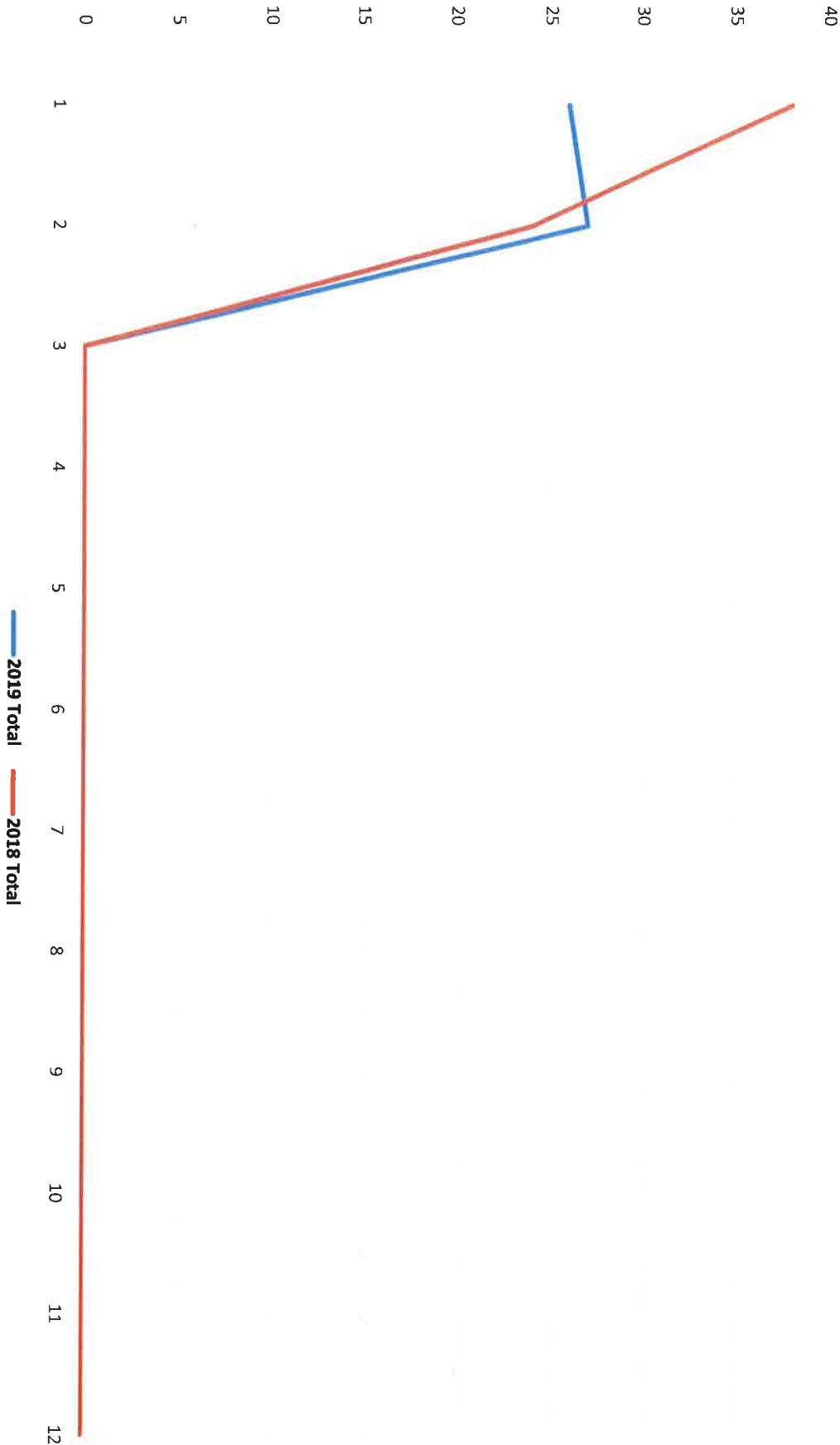




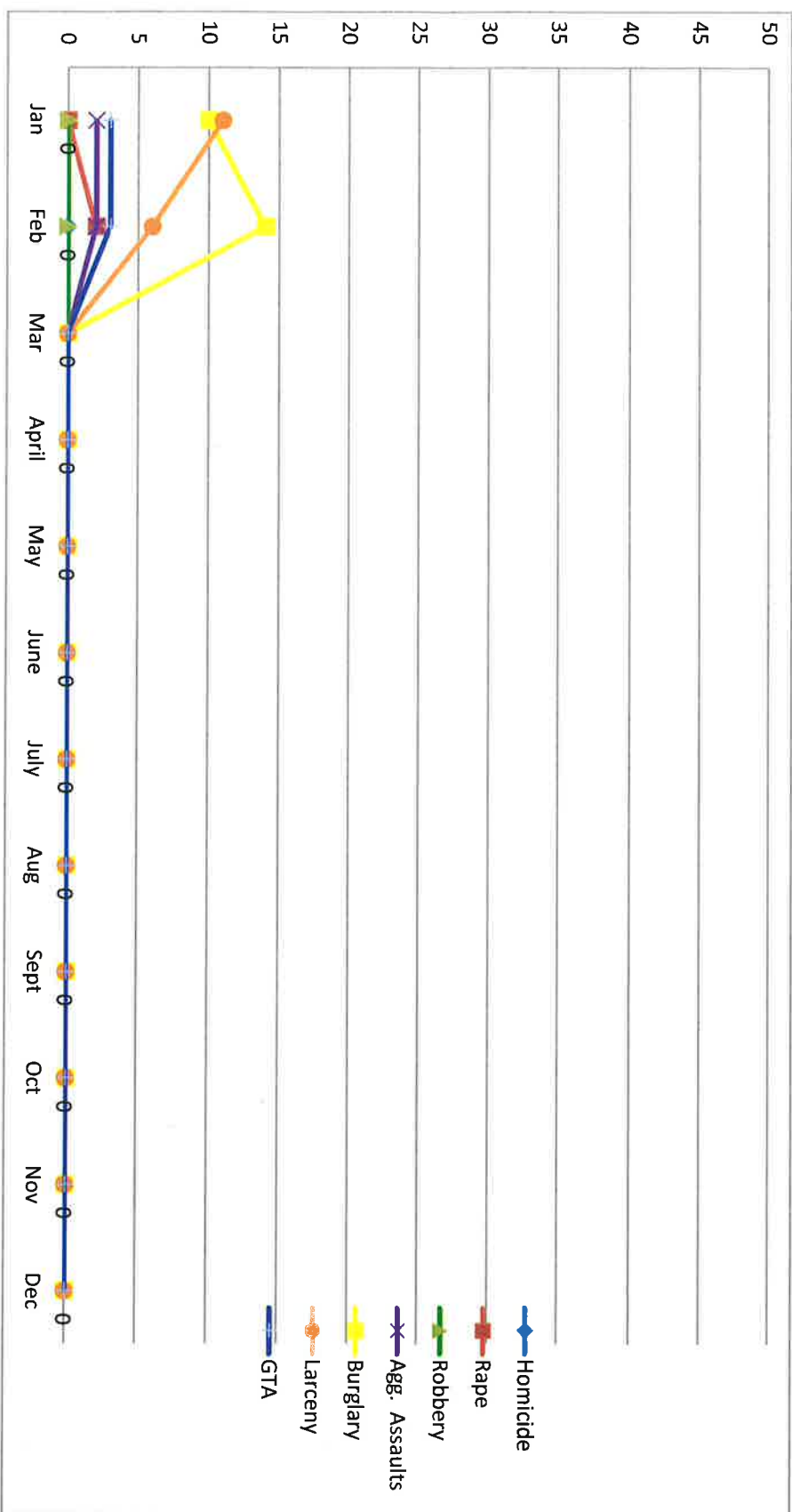
**Kingsburg Police Department  
2019 Part I Crimes**

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	2018/2019 %Change
2019 Total	26	27	0	0	0	0	0	0	0	0	0	0	53	
2018 Total	38	24	0	0	0	0	0	0	0	0	0	0	62	-15.00%

2017/2018 Part I Comparison



## 2019 Part I Crimes

[illegible]



Meeting Date: 03/20/2019  
Agenda Item: 5.2

## CITY COUNCIL MEETING STAFF REPORT

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**REPORT TO:** Mayor Roman & City Council

**REPORT FROM:** Abigail Palsgaard, City Clerk

**REVIEWED BY:** MN

**AGENDA ITEM:** Mobile Food Vending Ordinance

**ACTION REQUESTED:** ☒ Ordinance ☐ Resolution ☒ Motion ☐ Receive/File

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### **EXECUTIVE SUMMARY**

At the February 6, 2019 City Council meeting, the City Council reviewed an initial draft of an ordinance regulating the operation of food vending vehicles in the City of Kingsburg ("City"). The draft ordinance addressed the independent operation of food vending vehicles in the City. The draft ordinance set forth requirements for operation of food vending vehicles, including, obtaining a food vending vehicle permit, hours of operation, parking requirements, use of public right-of-way, identifying operation distances from schools and other locations in the City and related requirements.

During the February 6, 2019 City Council meeting, members of the public advised the City Council on the use of food vending vehicles in conjunction with the operation of local business (e.g. food trucks at Ramos Winery events & Bluebird Markets). Members of the public voiced concerns that certain requirements and prohibitions for the operation of food vending vehicles in the City, identified in the draft ordinance, could affect the use of food vending vehicles in conjunction with the operation of local businesses. At the end of the discussion, the City Council directed staff to revise the draft ordinance to address the concerns of the local business.

Attached is a revised ordinance. The substantive revisions to the ordinance are as follows:

1. Except for private catered events, a food vending vehicle may operate in the city only in conjunction with and ancillary and complimentary to, and not separate from, the operation of an existing business in the city with a permanent business address at a building located within the city.
2. In order for a food vending vehicle to operate at a local business location, the local business must apply for and be issued a food vending vehicle permit. Food vending vehicle permits will not be issued to the food vending vehicle business.
3. If the local business is not the owner of the local business location, the local business must obtain and submit to the City a written consent signed and dated by the current owner of the

local business location where the food vending vehicle will operate consenting to the operation of the food vending vehicle(s) at the local business location.

4. A certificate of insurance confirming the food vending vehicle business or the local business maintains general comprehensive liability insurance policy which includes food vendor liability insurance, of at least One Million Dollars (\$1,000,000.00) in coverage is required.
5. The local business must obtain a business license issued by the City which allows food vending vehicles to operate at the local business location. Issuance of a business license for the food vending vehicle is not required because the food vending vehicle cannot operate in the City independent of a local business.
6. If a local business does not have sufficient area to locate the food vending vehicle(s) on the local business location property, the local business may locate a maximum of two (2) food vending vehicles in the public right-of-way or alley immediately adjacent to the local business location, but only in accordance with the requirements set forth in the ordinance.
7. The local business has applied for and the City has issued to the local business a special event permit which specifically identifies the location of the food vending vehicle(s) in the public right-of-way or ally.
8. Should a local business or food vending vehicle business violate any of the provisions of the ordinance, the food vending vehicle permit issued by the City can be revoked.

#### **RECOMMENDED ACTION BY CITY COUNCIL**

1. Waive the first reading of the ordinance and pass to a second reading.
2. Provide staff direction on revisions to ordinance.

#### **FINANCIAL INFORMATION**

##### **FISCAL IMPACT:**

- |                              |            |
|------------------------------|------------|
| 1. Is There A Fiscal Impact? | <u>N/A</u> |
| 2. Is it Currently Budgeted? | <u>N/A</u> |
| 3. If Budgeted, Which Line?  | <u>N/A</u> |

#### **ATTACHED DOCUMENTS**

1. 2019-003 Food Vending Ordinance

**ORDINANCE NO. 2019-003****AN ORDINANCE OF THE CITY OF KINGSBURG  
ADDING CHAPTER 5.38 OF TITLE 5 OF THE KINGSBURG MUNICIPAL CODE  
REGULATING FOOD VENDING VEHICLES**

**The City Council of the City of Kingsburg does hereby ordain as follows:**

**SECTION 1.** Chapter 5.38 is added to Title 5 of the Kingsburg Municipal Code as follows:

**5.38.010 Definitions.**

"Food vending vehicle" means any conveyance from which food or beverage is sold or offered for sale or distributed to the consumer, including, without limitation, the following:

1. Full food preparation trucks (typically referred to as taco trucks or catering trucks).
2. Full food preparation trailers (sometimes called catering wagons or concession trailers).
3. Tow-behind carts.
4. Carts on caster wheels (limited to stationary venues such as stadiums, hospitals, or indoor shopping malls that are in compliance with zoning laws for that venue).

Provided, however, a "vending vehicle" does not include a vehicle which only delivers food or beverage products ordered by home delivery customers.

5. Food Vending Vehicle does not include a "Sidewalk Vendor" regulated under Chapter 5.40 of Title 5 of the Kingsburg Municipal Code.

**5.38.020 Requirements to Operate a Food Vendor Vehicle in the City.**

In order to operate a food vending vehicle in the city, a food vending vehicle business ("**Vending Owner**") must comply with the following requirements:

- A. Except as otherwise set forth in Section 5.38.070, a food vending vehicle may operate in the city only in conjunction with and ancillary and complimentary to, and not separate from, the operation of an existing business ("**Local Business**") in the city with a permanent business address at a building located within the city ("**Local Business Location**");
- B. Maintain a valid Mobile Food Permit issued by the County of Fresno through its public health services department for the operation of the food vending vehicle.

C. Maintain a valid California Department of Tax and Fee Administration Seller's Permit.

D. Every person driving the food vending vehicle must maintain a valid California Driver's License.

**5.38.030 Food Vending Vehicle Application.**

A. In order for a food vending vehicle to operate at a Local Business Location, the Local Business shall submit a complete application for a food vending vehicle permit on forms approved by the city.

1. The Local Business must attach to its application the following documents:

a. Copies of all the documents identified in Section 5.38.020 B., C. and D. of this chapter;

b. If the Local Business is not the owner of the Local Business Location, a written consent signed and dated by the current owner of the Local Business Location where the food vending vehicle will operate consenting to the operation of the food vending vehicle(s) at the Local Business Location;

c. A certificate of insurance confirming the food vending vehicle business or the Local Business maintains general comprehensive liability insurance policy which includes food vendor liability insurance, of at least One Million Dollars (\$1,000,000.00) in coverage.

d. A business license issued by the city to the Local Business which allows food vending vehicles to operate at the Local Business Location.

The Local Business shall deliver the completed application form and the required application fee to the city's Planning Department.

**5.38.040 Application Approval, Denial, and Permit Revocation.**

A. The city's City Clerk or her designee in conjunction with the city's Planning Department shall approve or deny the application within sixty (60) days after receipt of the application.

B. The City Clerk or her designee in conjunction with the city's Planning Department may deny or revoke a food vending vehicle permit whenever is the city determines that:

1. Misrepresentations were made in the food vending vehicle permit application or any other documents provided to the city, the County of Fresno or any other governmental agency;

2. The owner of the food vending vehicle or any employee of the owner of the food vending vehicle has been convicted of a crime substantially related to the qualifications, functions, or duties of the food vending vehicle business for which application is made;

3. Any of the terms or conditions of the food vending vehicle permit or regulations under this chapter have been violated, or the food vending vehicle has in the past or is currently operating in violation of any city ordinance, or any provision of the city Municipal Code, any County ordinance or regulation, or any state or federal law;

4. While the food vending vehicle is operating at the Local Business Location, the Local Business is interfering with the peace and quiet of the neighborhood or area where it is located;

5. The safety of persons or real or personal property requires such denial or revocation;

6. The owner of the Local Business Location has transferred its interest in the Local Business Location or has revoked or terminated its consent allowing the Local Business or the food vending vehicle to operate at the Local Business Location.

#### **5.38.050 Food Vending Vehicle Restrictions and Requirements.**

Each Local Business shall comply with the following restrictions and requirements regarding the operation of a food vending vehicle at the Local Business Location:

A. The food vending vehicle shall not sell food or beverages directly to persons in vehicles.

B. A food vending vehicle shall not discharge or cause to be discharged, any waste of any kind other than into lawfully permitted waste disposal locations.

C. The operation of a food vending vehicle at the Local Business Location shall not obstruct or interfere with the free flow of pedestrian or vehicular traffic, including, but not limited to, access to or from the Local Business Location.

D. The operation of a food vending vehicle at the Local Business Location shall not restrict the visibility area or sight distance at any driveway or intersection.

E. A food vending vehicle shall post, in public view and without obstruction, on the back upper left side of the vehicle, the following items:

1. A valid permit certification and valid permit sticker issued by the County of Fresno Public Health Services Department;

2. A copy of the current food vending vehicle permit issued by the city to the Local Business;

F. Hours of operation of a food vending vehicle shall be the same as the Local Business;

G. Food vending vehicles shall only be a permitted to operate at Local Business Locations in the commercial and industrial zone districts in the city;

H. Any owner of a food vending vehicle or employee of an owner of a food vending vehicle and the Local Business shall permit law enforcement officers, code enforcement officers or any other employee of the city or the County or Fresno to inspect the food vending vehicle to ensure compliance with all applicable laws, regulations and ordinances. Such inspections shall be as frequent as necessary.

#### **5.38.060 Food Vending Vehicle Requirements in the Public Right-of-Way.**

If a Local Business does not have sufficient area to locate the food vending vehicle(s) on the Local Business Location property, the Local Business may, locate a maximum of two (2) food vending vehicles in the public right-of-way or alley immediately adjacent to the Local Business Location only in accordance with the following requirements:

A. The Local Business has applied for and the city has issued to the Local Business a special event permit which specifically identifies the location of the food vending vehicle(s) in the public right-of-way or ally.

B. The location of the food vending vehicles in the public right-of-way or alley complies with all current city and California Vehicle Code parking requirements.

C. The food vending vehicle parks parallel to the curb while serving any customers.

D. Other than trash and recycle receptacles, no tables, chairs, furniture, umbrellas, generators, objects or structures shall be permitted outside of the food vending vehicle.

E. Other than trash and recycle receptacles, all equipment and operations of the food vending vehicle shall be conducted within the food vending vehicle.

#### **5.38.070 Private Catering Events.**

The operation of a food vending vehicle for a private catering event is not limited by the zoning restrictions identified in this Chapter and will not require the issuance of a food vending vehicle permit so long as the private catering event complies with the following requirements:



1           A.       If the private catering event is conducted in a residential zone district, the food vending  
2 vehicle must be parked entirely on the residential private property. Except that the owner of the residential  
3 private property may apply to the city for an encroachment permit to allow the food vending vehicle to be  
4 parked in the street right-of-way directly in front of the private property or in an alley behind or adjacent to  
5 the residential private property.

6           B.       If the private catering event is conducted at a school, hospital or religious facility, the food  
7 vending vehicle must be parked entirely on property owned by the school, hospital or religious organization.  
8 Except that the school, hospital or religious organization may apply to the city for an encroachment permit  
9 or Special Event Permit, whichever is applicable, to allow the food vending vehicle to be parked in the  
10 street right-of-way directly in front of the organization's property or in an alley behind or adjacent to the  
11 organization's property.

12           C.       If the private catering event his conducted in a city park, the food vending vehicle must be  
13 parked in the location identified in the city park rental permit issued by the city for the private catering  
14 event at the park.

15           D.       If the private catering event is conducted by an organization and in a location in the city  
16 which requires the issuance of a Special Event Permit, the food vending vehicle must be parked in the  
17 location identified in the Special Event Permit.

18           E.       Service from the food vending vehicle is limited to private guests of the catering host.

19           F.       Only one (1) food vending vehicle is permitted for a private catering event unless the  
20 Special Event Permit issued for the private catering event allows for more than one (1) food vending vehicle  
21 at the event identified in the Special Event Permit.

22           G.       Payment occurs directly between the catering event host and the food vending vehicle  
23 business owner. No payment transactions shall occur with individual orders from the food vending vehicle.

24 **5.38.080 Appeal of a Permit Denial or Revocation.**

25           A.       Should an Local Business be denied a food vending vehicle permit or if a food vending vehicle  
26 permit is revoked for violation, by the Local Business or the food vending vehicle business, of the  
27 provisions of this Chapter or any other applicable law, ordinance or regulation, the Local Business may, no

later than ten (10) days after the date of written notice of such denial or revocation mailed to the Local Business at the address provided on the permit application, file a written appeal with the City Manager using the appeal form provided by the city setting forth the grounds for such appeal;

B. Within ten (10) days after the City Manager's receipt of the appeal form, the City Manager shall schedule a hearing before the City Manager to hear the Local Business' appeal. The City Manager shall provide the Local Business with at least ten (10) days prior written notice of the hearing. The City Manager may, upon completing such hearing, sustain, suspend or overrule the decision to deny or revoke the permit, which decision shall be final and conclusive.

C. Pending the hearing before the City Manager, the denial or revocation of the permit shall remain in full force and effect and any reversal thereof by the City Manager shall not be retroactive but shall take effect as of the date of the City Manager's decision.

**SECTION 2.** This ordinance shall take effect thirty (30) days after its passage and shall be published in the Kingsburg Recorder within fifteen (15) days after its passage.

Passed and adopted by a regular meeting of the City council of the City of Kingsburg, duly called and held on the \_\_\_\_\_ day of March, 2019, by the following vote:

Ayes:	Council Member(s):
Noes:	Council Member(s):
Absent:	Council Member(s):
Abstain:	Council Member(s):

APPROVED:

\_\_\_\_\_  
Michele Roman, Mayor

ATTEST:

\_\_\_\_\_  
Abigail Palsgaard, City Clerk

1 STATE OF CALIFORNIA )  
2 COUNTY OF FRESNO ) ss  
3 CITY OF KINGSBURG )

4 I, Abigail Palsgaard, City Clerk of the City of Kingsburg do hereby certify that the foregoing Ordinance  
5 was duly introduced at a regular meeting of the City Council of the City of Kingsburg on the \_\_\_\_ day of March,  
6 2019, and it was duly passed and adopted at a regular meeting of said City Council held on the \_\_\_\_ day of  
7 April, 2019.

8 Dated: \_\_\_\_\_, 2019

9 \_\_\_\_\_  
10 City Clerk  
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**Meeting Date:** 03/20/2019

**Agenda Item:** 5.3

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**CITY COUNCIL MEETING STAFF REPORT**

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**REPORT TO:** Mayor Roman & City Council

**REPORT FROM:** Adam Castaneda, Community Services Director      **REVIEWED BY:** AP

**AGENDA ITEM:** Special Event Application Discussion

**ACTION REQUESTED:** ☐ Ordinance ☐ Resolution ☒ Motion ☐ Receive/File

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**EXECUTIVE SUMMARY**

The City of Kingsburg's application used to obtain Special Event Permits was last brought to Council's attention on February 20, 2019. The previous discussion was to evaluate and finalize the process an applicant must go through to receive a permit. This discussion was sparked after observing a rise in interest from Kingsburg organizations to utilize public space, including street closures, for special events. These entities include for-profit groups, individual citizens and private businesses, excluding the Kingsburg Chamber and other non-profits. The Kingsburg Chamber of Commerce and other non-profits currently work with the city on hosting annual community-based events which benefit local businesses and/or enhance the community's quality of life.

After council discussion, staff was directed to research surrounding city's criteria for groups looking to utilize public space such as roads, sidewalks, alley ways, and parks. Further discussion also directed staff to consult with the Kingsburg Chamber of Commerce for feedback and suggestions. It was also recommended by Council that we add an additional requirement of local organizations seeking permission from affected business before a permit was considered for approval. A tiered system was brought up as a possible solution to these issues and this report will list the proposed findings by staff.

The Kingsburg Chamber of Commerce was approached at their last board meeting on March 12, 2019. The Chamber Board was briefed on the suggested changes being made to the Special Event Application and they were in favor of the proposed updates. It was suggested by the Kingsburg Chamber that their name be removed as an additional option for other organizations to partner with. They felt that as a Local Non-Profit themselves, they fit under that category. The Kingsburg Chamber feels that they have a responsibility to partner with their members to promote the town and they would be creating a process to evaluate requests.

It is staff's recommendation that we incorporate a tiered system regarding the type of organizations that have access to closing/utilizing publicly owned spaces. It is also staff's recommendation that Council review the Fee Schedule at a later date to incorporate a tiered system regarding vendor fees collected for special events.

**RECOMMENDED ACTION BY CITY COUNCIL**

1. Provide input on changes, if any, to the special events application.

**POLICY ALTERNATIVE(S)**

1. Council could choose not to make changes to the Special Event & Park Reservation application.

**REASON FOR RECOMMENDATION/KEY METRIC**

1. Improve Public Safety
2. Improve Community Communication
3. Increase Retail Opportunities overall customer experience.

**FINANCIAL INFORMATION****FISCAL IMPACT:**

- |                              |                    |
|------------------------------|--------------------|
| 1. Is There A Fiscal Impact? | <u>Potentially</u> |
| 2. Is it Currently Budgeted? | <u>N/A</u>         |
| 3. If Budgeted, Which Line?  | <u>N/A</u>         |

**BACKGROUND INFORMATION**

See Executive Summary

**ATTACHED INFORMATION**

1. Special Event & Park Reservation Application with Proposed Fee Adjustments
2. Proposed Tiered System by Organizational Status

# City of Kingsburg

## SPECIAL EVENT & FACILITY USE APPLICATION PROTOCOL & CHECKLIST

### FOR OFFICIAL USE ONLY

APPLICATION FEES MUST BE PAID UPON APPLICATION SUBMITTAL. THE LICENSE FEE MUST BE PAID BEFORE Approval.

#### Applicant Must:

- ☐ Verify Event Date Availability
- ☐ Fill out Application
- ☐ Provide Proof of General Liability Insurance

#### Submit Application For Review:

#### Initials

##### Park Reservation Only:

☐ Community Services Department \_\_\_\_\_

##### Special Event Application:

☐ Public Works Department \_\_\_\_\_

☐ Fire Department \_\_\_\_\_

☐ Police Department \_\_\_\_\_

\_\_\_\_\_  
Staff Signature

\_\_\_\_\_  
Date

City of Kingsburg  
**SPECIAL EVENT & FACILITY USE APPLICATION**

(Application must be submitted to the City of Kingsburg 30 business days prior to be considered)  
Kingsburg Chamber/Non-Profit/Individual \$25.00      Local Business/Organization \$50.00

**FEE DUE UPON SUBMITTAL**

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_ Fee: \_\_\_\_\_ Insurance: \_\_\_\_\_

DATE OF EVENT: \_\_\_\_\_ TIME: \_\_\_\_\_ AM/PM TO \_\_\_\_\_ AM/PM

Name of Event: \_\_\_\_\_

Number of People Attending: \_\_\_\_\_ Alcohol served/sold?    **YES** ☐ **NO** ☐ (If sold, an ABC permit is REQUIRED)

Description of Event (in detail): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicants Name/Event Representative: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_ City: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Alternative Phone: \_\_\_\_\_

Event Location:

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> <b>Memorial Park</b><br><input type="checkbox"/> Covered Area(M1)<br><input type="checkbox"/> Corner Area(M2)<br><input type="checkbox"/> Band Stage(M3) | <input type="checkbox"/> <b>Downtown Park</b><br><input type="checkbox"/> Pavilion(D1)<br><input type="checkbox"/> Corner Area(D2) | <input type="checkbox"/> <b>Crandell Pool</b><br><input type="checkbox"/> Entire Complex<br><input type="checkbox"/> Grass Area | <input type="checkbox"/> <b>Downtown/City</b><br><input type="checkbox"/> Draper Street<br><input type="checkbox"/> _____ |
|---|--|---|---|

Equipment Request and/or Special Needs:

<u>Will You Need:</u>	<u>Yes/No</u>	<u>Details / Location</u>
Banners Hung	_____	_____
Electricity	_____	_____
Street Barricades	_____	(How many?) _____
Street Closure	_____	(Please provide a detailed map on the following page) _____
Traffic Control	_____	_____
Other	_____	_____

Additional Requests and/or Comments:

\_\_\_\_\_

Will Your Event Include (Please Circle):

Amplified Music	Barbecue	Bicycle Race	Parade
Car Show	Dunk Tank	Stages	Live Animals
Foot Race	Inflatables	Other: _____	

Will Your Event Include Vendors (Please Circle):

1-10 Vendors: 50.00 fee      11-25 Vendors: 75.00 fee      30+ Vendors: 100.00 fee

(Proof of vendor list will need to be submitted, current vendors will business licenses can be excluded)

## Special Event Map Requirements

For Special Events, applicants must provide a separate detailed map, to include:

- 1) The proposed area to be used for the event.
- 2) Entry and exit locations including barricade placement for street closure.
- 3) Set-up of any structures, i.e. bleachers, fences, displays, etc., that your event might have.

Property Owner (If different from applicant): \_\_\_\_\_

Property Owner's Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Person Managing the Event: \_\_\_\_\_

(Contact person must be present onsite during the entire event.)

Mobile Phone: \_\_\_\_\_ Alternative Phone: \_\_\_\_\_

\_\_\_\_ Initials Any amplified music must be kept within community standards. Alcohol (if permitted) may not be sold or furnished to minors or obviously intoxicated persons. The permit holder agrees to cooperate with the Kingsburg Police Department to mitigate any issues surrounding the event. The Kingsburg Police Department Watch Commander may revoke this permit for cause at any time.

\_\_\_\_ Initials Security may be required for any public and private events and is required at any event where alcohol is served or sold. Whether security is required, and the number of security officers will be determined by the Kingsburg Police Department. Proof of security contract and ABC One Day Permit will be required for the final approval of this application.

\_\_\_\_ Initials The undersigned agrees to indemnify, defend (with legal counsel acceptable to the City of Kingsburg) and hold harmless the City of Kingsburg and its officials, agents, employees, and officers against any and all liability, losses, claims, damages, fees of attorneys, and other expenses which the City or its officials, agents, employees or officers may sustain or incur in consequences of or arising out of any activity conducted at the event or the actions or persons at the event including, but not limited to, sums paid or incurred in connection with claims, suits, or judgment or paid or incurred in attempting to procure release from liability for any person injured at the event.

### APPLICANT/REPRESENTATIVE:

I hereby certify that all of the information provided is correct. I agree to comply with and abide by all of the provisions of this Special Events Application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### PROPERTY OWNER/AUTHORIZED AGENT:

I have read this completed Special Events Application and consent to all of the above information and agree to comply with and abide by all of the provisions of this Special Events Application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**FOR OFFICIAL USE ONLY**

APPLICATION FEE MUST BE PAID UPON APPLICATION SUBMITTAL. THE LICENSE FEE MUST BE PAID BEFORE RECEIVING THE CERTIFICATE.

\_\_\_\_\_ APPROVED    \_\_\_\_\_ DENIED

Conditions for Approval:

\_\_\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_  
Community Service Director, Adam Castaneda

\_\_\_\_\_  
Date

**ADDITIONAL APPROVAL REQUIRED FOR ALCOHOL USE**

\_\_\_\_\_ APPROVED    \_\_\_\_\_ DENIED

Conditions for Approval:

\_\_\_\_\_ No minors allowed

\_\_\_\_\_ Dance must be concluded by: \_\_\_\_\_

\_\_\_\_\_ Security Required \_\_\_\_\_ officer(s) minimum

\_\_\_\_\_ No sale of alcohol allowed on premises

\_\_\_\_\_ No alcohol outside premises

\_\_\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_  
Chief of Police, Neil Dadian

\_\_\_\_\_  
Date

**CITY OF KINGSBURG  
PARK FACILITY USE POLICIES**

1. Rentals occur on a first come, first serve basis, unless otherwise authorized by Department and/or City Manager. **If at any time during your reservation, there is an issue/problem, please contact the Kingsburg Police Department at (559) 897-2931.**
2. City facilities may be used between the hours of **7:00am and 10:00pm.**
3. An application must be completed and all fees paid before a reservation can be made. The reservation process:
  - a. ID will be checked to verify residency.
  - b. If the reservation includes a bounce house, the following information needs to be received by City staff:
    - i. Name of the bounce house company
    - ii. Insurance must be submitted by the bounce house company naming the City of Kingsburg as an additional insurer.
    - iii. A confirmation must be received by staff, confirming the order of the bounce house.
    - iv. PLEASE NOTE: YOUR APPLICATION WILL NOT BE PROCESSED UNTIL THIS INFORMATION IS RECEIVED. THE CITY HAS A FIRST COME FIRST SERVE POLICY, IF YOUR INFORMATION IS NOT RECEIVED, YOUR SPOT MAY BE LOST TO ANOTHER RESERVATION.
4. User must provide a certificate of general liability listing the City of Kingsburg as additionally insured in an amount not less than \$1,000,000 when using bounce houses, dunk tanks and any other recreational equipment during the scheduled rental period. **The use of water slides, water bounce houses or any other water play equipment is prohibited.**
5. Zoo and farm animals are prohibited in City Parks. This includes petting zoos and animal rides. If found having these animals or attractions in your rental, your reservation will be void and the applicant will be charged for the clean-up of the animal(s).
6. If the applicant must cancel the approved rental date, he/she must do so **AT LEAST 3 business day prior to the event** to receive a refund of ½ of the rental fee. If weather causes the approved scheduled event to be canceled, contact with the City must be made within one business day to receive a refund of ½ of the rental fee.
7. The Department requires the applicant to clean the site after use, depending on the nature of the event. The applicant will be billed for the cost of staff time and cleaning materials. Non – compliance may void approved application for further use. **NO VEHICLES ARE ALLOWED ON PARK GROUNDS.**
8. The applicant assumes the responsibility of replacing and/or repairing any equipment, facility amenities, etc., damaged during the rental use. This may also include the cost of any additional clean up that may be needed.
9. Individuals, groups, clubs, and organizations may schedule a facility for weekly or monthly functions and may at any time be preempted for City sponsored events and activities; however adequate advance notice will be given.
10. Any violation of the facility use policies will result in the immediate voiding of the Park Facility Use Permit, user will not be eligible for a refund either part or in full.
11. The City of Kingsburg may, for good cause, suspend the rules contained herein and/or develop additional rules governing use as it deems necessary.
12. In the event of an appeal of an administrative decision regarding the use or policy, the appeal shall be filed in writing, clearly stating the reasons therefore, and shall be processed as follows until resolved:

1. Community Services Director
2. City Manager
3. City Council

# Special Event Permit Tiers

## Street Closures

### 1. Local Non-Profit/Chamber of Commerce:

#### Draper Street Closure Request

Draper Street closure requests will only be considered for Non-Profit organizations whose principal place of business is in Kingsburg, California ("Local Non-Profit") and the Kingsburg Chamber of Commerce. All Draper Street closures will require City Council approval unless pre-approved under a preexisting agreement (e.g. City/Chamber agreement). These requests must be for community- focused events open to the public which enhance the quality of life for the residents of the Kingsburg and offer the citizens of Kingsburg something to participate in and enjoy (collectively "Community Events"). City Council approval of the street closure must be received at least thirty (30) days prior to the date of the street closure.

#### Central Commercial Street Closure Request

All street closures in the central commercial zone district will require City Council approval unless pre-approved through a preexisting agreement (e.g. City/Chamber agreement). These requests must be Community Events open to the public. City Council approval of the street closure must be received at least thirty (30) days prior to the date of the street closure.

### 2. Local Businesses/Organizations:

#### Draper Street Closure Request

Draper Street will not be closed for any event unless the event is in conjunction with a Local Non-Profit. All Draper Street closures will require City Council approval unless pre-approved through a preexisting agreement (e.g. City/Chamber agreement). These requests must be Community Events open to the public. City Council approval of the street closure must be received at least thirty (30) days prior to the date of the street closure.

#### Central Commercial Street Closure Request

All requests for street closures in the central commercial zone district, excluding Draper street closures, shall require City Council approval. The applicant, at its expense, will provide written notice of the request for the street closure to all businesses fronting on the portion of the street to be closed (collectively "Affected Business"). The written notice must identify the date and time of the street closure and the Community Event that will take place during the street closure. Before seeking City Council approval of the street closure, the applicant must receive written consent to the street closure from a majority of Affected Businesses. If the applicant receives written consent to the street closure from a majority of Affected Businesses, the applicant may seek City Council approval of the street closure. City Council approval of the street closure must be received at least thirty (30) days prior to the date of the street closure. These requests must be for Community Events open to the public.

### 3. Individual Residents:

Street closures in the central commercial zone district will not be granted to individual residents or for-profit events (unless described above).

## Special Event Permit Tiers

### Public Sidewalk, Alley, and Walkway Use

#### 1. Local Non-Profit/Chamber of Commerce:

##### Draper Right of Way Closure Request

Requests for Public right of way (sidewalk, alley, parks, etc.) (collectively “Right-of-Way”) closure and use along Draper Street will be considered for Local Non-Profits and the Kingsburg Chamber of Commerce and will be subject to administrative review and approval unless pre-approved through a preexisting agreement (e.g. City/Chamber agreement). These requests must be for Community Events open to the public. Administrative approval of the closure and use must be received at least fourteen (14) days prior to the date of the Right-of-Way closure and use.

##### Central Commercial Right of Way Closure Request

Requests for Right-of -Way closure and use in the central commercial zone, excluding Draper street, will be considered for Local Non-Profits and the Kingsburg Chamber of Commerce and will be subject to administrative review and approval unless pre-approved through a preexisting agreement. (e.g. City/Chamber agreement). These requests must be for Community Events open to the public. Administrative approval of the closure and use must be received at least fourteen (14) days prior to the date of the Right-of-Way closure and use.

#### 2. Local Businesses/Organizations:

##### All Central Commercial Right-of Way Closure Request

Requests for Right-of-Way closure and use in the central commercial zone district, excluding Draper street, by local business and organizations, other than Local Non-Profits and the Kingsburg Chamber of Commerce, will be subject to administrative review and approval. Administrative approval of the closure and use of the Right-of-Way must be received at least fourteen (14) days prior to the date of the Right-of-Way closure and use. If the Right-of-Way closure and use will occur for the same purpose multiple times during a one (1) year period of time, the applicant may seek administrative approval to allow for the Right-of-Way closure and use for the same purpose for a specified number of times during a one (1) year period of time. Draper Street Right-of-Way will not be allowed to be closed unless in conjunction with a Local Non- Profit or the Kingsburg Chamber of Commerce event. Except that, alleys that run adjacent to Draper St. may be used, so long as the request is made by an adjacent property owner/tenant, and the alley is not blocked off or closed to public use. The applicant, at its expense, will provide written notice of the request for the alley use to all businesses adjacent to the alley to be used (collectively “Alley Business”). The written notice must identify the date and time of the alley use and the type of event that will take place during the alley use. The event must be open to the public. Before seeking administrative approval for the alley use, the applicant must receive written consent to the alley use from a majority of Alley Businesses. If the applicant receives written consent for the alley use from a majority of Alley Businesses, the applicant may seek administrative approval of the alley use. Administrative approval of the alley use must be received at least fourteen (14) days prior to the date of the alley use. If the alley closure and use will occur for the same purpose multiple times during a one (1) year period of time, the applicant may seek administrative approval to allow for the alley closure and use for the same purpose for a specified number of times during a one (1) year period of time.

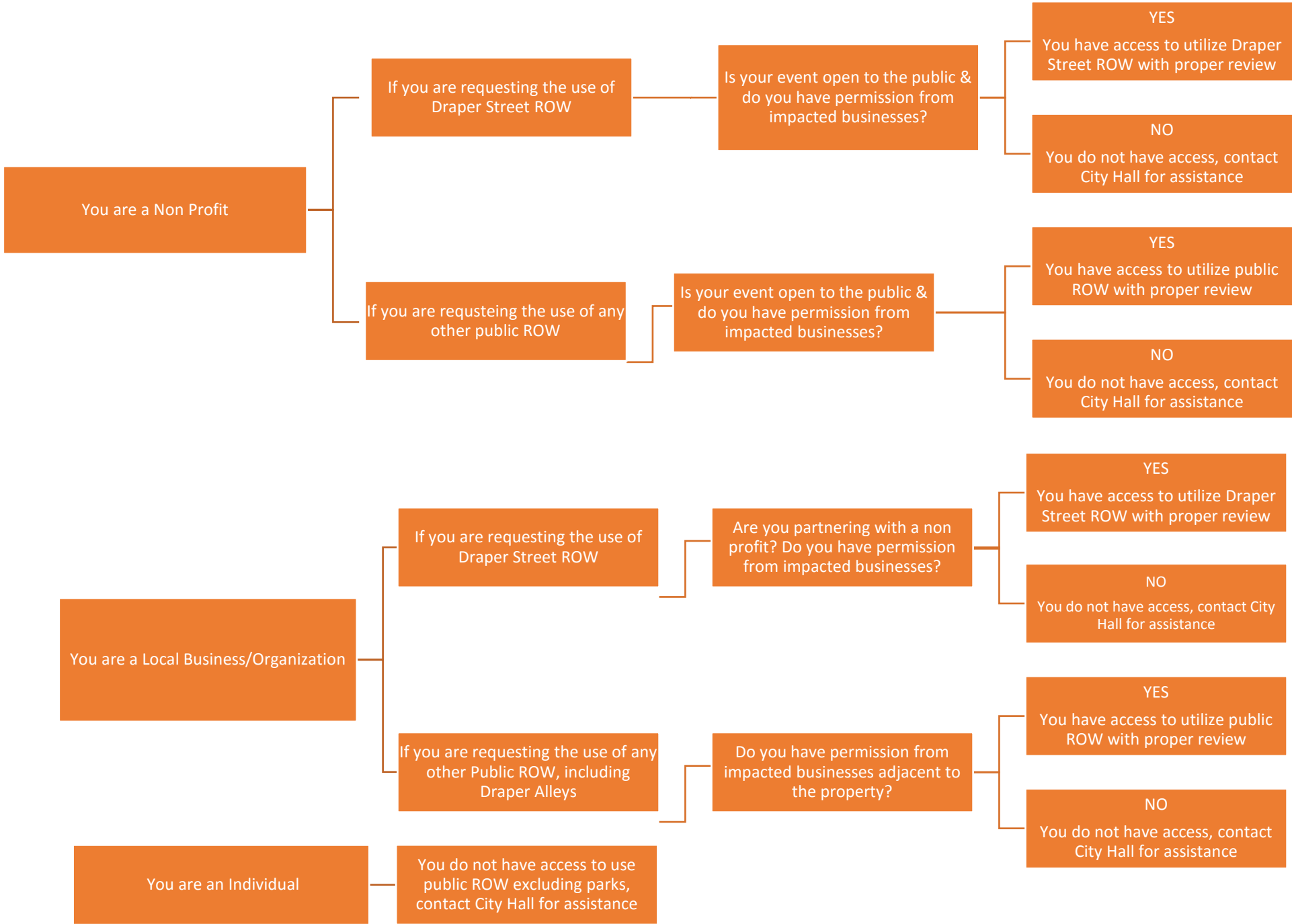
#### 3. Individual Residents:

Public right of way closures or use in the central commercial zone district will not be granted to individual residents or for-profit events (unless described above).

## All Other Areas

All other requests of use and/or closures for City parks, public right-of-way and other public areas for private parties, block parties and similar events in any City zone district other than the central commercial zone district, will be subject to the City's current Special Event requirements and procedures. Use of public right-of-way or other public areas for the sale of goods is prohibited in all City zone districts unless expressly allowed under the City's Municipal Code.

Special Event Public Right of Way (ROW) Request Organizational Chart



Special Event Street Request Organizational Chart

